

Dkt. 65558/JPW/PT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ilan Sela and Sylvia Zeitoune-Simovich
Serial No.: 09/889,821 Int'l Appln. No.: PCT/IL00/00029
Filed : July 18, 2001 Int'l Filing
Date: 16 January 2000
For : AN EXPRESSION SILENCING SYSTEM AND DIFFERENT USE
THEREOF

1185 Avenue of the Americas
New York, New York 10036
November 29, 2001

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, Virginia 22202

Attn: Box PCT

Sir:

**COMMUNICATION IN RESPONSE TO AUGUST 29, 2001
NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. §371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US) AND PETITION FOR A ONE-MONTH EXTENSION OF TIME**

In response to a Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US) issued in connection with the above-identified application on August 29, 2001, a copy of which is attached hereto as **Exhibit A**, applicants submit as **Exhibit B** attached hereto a Declaration and Power of Attorney pursuant to 35 U.S.C. §371(c)(4) and 37 C.F.R. §1.495(c)(2) and in compliance with 35 U.S.C. §115, 35 U.S.C. §25 and 37 C.F.R. §1.63. The Declaration refers to the application's International Application No. PCT/IL00/00029, International Filing Date, 16 January 2000, and above-identified U.S. application serial number.

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Page 2

In accordance with the Notification, the due date for submitting the Declaration and Power of Attorney was October 29, 2001. Applicants hereby respectfully request a one-month extension of time. The required fee for a one-month extension of time is ONE HUNDRED TEN DOLLARS (\$110.00). A check covering the \$110.00 fee for the one-month extension of time is enclosed. Therefore, a response is now due November 29, 2001. Accordingly, this Communication is being timely filed.

The surcharge under 37 C.F.R. §1.492(e) for responding to the Notification of Missing Requirements Under 35 U.S.C. §371(c)(4) and 37 C.F.R. §1.495(c)(2) is ONE HUNDRED THIRTY DOLLARS (\$130.00). A check for a total amount of \$240.00 is enclosed to cover the \$110.00 fee for the one-month extension of time and the \$130.00 surcharge for filing a Declaration and Power of Attorney.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

12/07/2001 MNGUYEN 00000094 09889821

01 FC:115
02 FC:154

110.00 OP
130.00 OP

Ilan Sela and Sylvia Zeitoune-Simovich

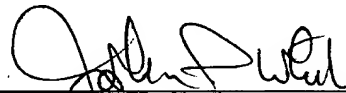
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Page 2

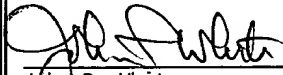
No fee, other than the enclosed \$110.00 fee for the one-month extension of time and \$130.00 surcharge, is deemed necessary in connection with the filing of this submission of this Declaration and Power of Attorney. However, if any additional fee is required, authorization is hereby given to charge the amount of any additional such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, Virginia 22202, Attn: Box PCT.



11/29/01

John P. White
Reg. No. 28,678

Date



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

09/889,821

SELA

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO. 65598/JPW

09/889821

JOHN P. WHITE

COOPER & DUNHAM

1185 AVENUE OF THE AMERICAS

NEW YORK NY 10036

5071

INTERNATIONAL APPLICATION NO. PCT/US00/00029

received

SEP - 4

I.A. FILING DATE

01/16/00

PRIORITY DATE

01/18/99

DATE MAILED:

08/29/01

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- | | |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input type="checkbox"/> Other: |
| <input checked="" type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |
2. ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

2m. 10.29.01

3m. 11.29.01

4m. 12.29.01

5m. 1.29.02

6m. 2.28.02

7m. 3.29.02

AP

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

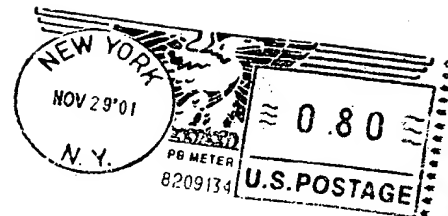
Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917☐ Notice of Defective Translation☐ PTO-875☐ PCT/DO/EO/920

Lamont Hunter, Paralegal

Telephone: 703 305-3686



COOPER & DUNHAM LLP

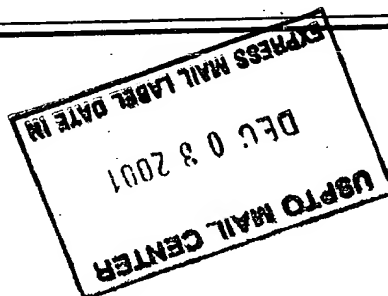
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09/882,821

JC14 Rec'd PCT/PTO 03 DEC 2001

PCT INITIAL PROCESSING

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